Application No.: 10/538,499 Docket No.: 415852000800

<u>REMARKS</u>

Claim 1 has been amended as suggested by the Examiner. Applicants note, however, that the application specifically envisions the possibility wherein Q is a bond — *i.e.*, effectively absent — and if Q is a bond, clearly W would be absent as well. Nevertheless, the claim has been amended as suggested.

Applicants appreciate the recognition that they are entitled to benefit of priorities of their earlier applications.

Restriction Requirement

Applicants appreciate that claims 11-13 and 15-17 were drawn to non-elected inventions without traverse. However, as these claims are directed to methods to use the compositions of the claim examined herein which applicants believe are currently in allowable form, claims 11-13 and 15-17 may properly be rejoined according to MPEP § 821.04(b). Rejoinder is hereby requested.

Double-Patenting

The obviousness-type double-patenting rejection over U.S. application No. 11/367,248 may be withdrawn in view of abandonment of the application. Applicants understand that at the time the Office action issued abandonment may not yet have occurred. However, at this time it is clear that the application is abandoned and a Notice of Abandonment is enclosed.

The Rejection under 35 U.S.C. § 112, Paragraph 1

Claims 1, 3-8 and 10 were rejected as assertedly failing to comply with the written description requirement in view of the limitation wherein "Q and W are both absent." As suggested by the Examiner, this phrase has been deleted from claim 1 and thus from its dependent claims.

Accordingly, this basis for rejection has been withdrawn.

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The Rejection under 35 U.S.C. § 102

Claims 1, 3-8 and 10 were rejected under 35 U.S.C. § 102(a) and 35 U.S.C. § 102(e) as

anticipated by Burns, et al., WO02/060492.

Respectfully, this document is not properly citable with regard to the present claims as it is

the work of the same inventors. Accordingly, the cited document is not properly made the basis for

rejection under either 35 U.S.C. § 102(a) or 35 U.S.C. § 102(e). MPEP § 706.02(a). Accordingly,

this basis for rejection, too, may be withdrawn.

Conclusion

As all of the outstanding bases for rejection have been overcome by amendment or

discussion, it is respectfully submitted that claims 1-10 are in a position for allowance and that

claims 11-13 and 15-17 may be rejoined and allowed as well.

Should minor matters remain that could be resolved over the phone, a telephone call to the

undersigned is respectfully requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent

Office determines that an extension and/or other relief is required, applicants petition for any

required relief including extensions of time and authorize the Commissioner to charge the cost of

such petitions and/or other fees due in connection with the filing of this document to **Deposit**

Account No. 03-1952 referencing docket No. 415852000800.

Respectfully submitted,

Dated: September 21, 2010 By: / Kate H. Murashige /

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